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8/6/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hlavach et al.

Application No.: 10/015,436

Group No.: 3634

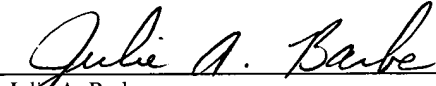
Filed: 12/13/01

Examiner: Khoa Tran

For: PLASTIC DOUBLE-WALLED STRUCTURAL PANEL

CERTIFICATE OF MAILING

I hereby certify that the enclosed Response to Election/Restriction Requirement Pursuant to 35 U.S.C. § 121 is being deposited with the United States Postal Service with sufficient postage as First Class Mail, postage prepaid in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29<sup>th</sup> day of July, 2003.

  
Julie A. Barber

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO ELECTION REQUIREMENT  
PURSUANT TO 35 U.S.C. §121**

**RECEIVED**

**AUG 01 2003**

**GROUP 3600**

This response addresses the Office action including an Election/Restriction requirement dated July 15, 2003, with respect to the above-identified patent application. The action set forth a one-month shortened statutory response period. Hence, this response is timely filed and no extensions of time are necessary.

The Examiner has indicated that the application contains multiple inventive concepts that are patentably distinct from one another. The inventions have been characterized as falling within two discrete groupings of claims, i.e., Group I (claims 1-21) and Group II (claims 22-28).

Applicant hereby elects, without traverse, to proceed with the claims of **Group I**, i.e., **claims 1-21** in the instant application. Claims 22-28 are to be withdrawn from consideration without prejudice.

The action further requires the Applicant to elect a single disclosed species for prosecution selected from the following recited species:

Species I: Figures 1-7 and 10;

Species II: Figure 8;

Species III: Figure 9; and

Species IV: Figure 11.

Applicants appreciate the Examiner's delineation of Species in regards to the Figures, however, Applicant respectfully observe an absence of reasons and/or examples pertaining to this conclusion. Applicant hereby elects to proceed with **Species I: Figures 1-7 and 10**, with traverse.

In view of the generic nature of claims 1 and 21, it is respectfully submitted that the Examiner will be required to search art related to the various species as part of the analysis of the generic claims.

Moreover, it is respectfully submitted that the subject matter of the four species is sufficiently related that a thorough search for the subject matter of one of the species would encompass a search for the subject matter of the other specie. See MPEP § 803, which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). This policy should apply in the present application to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office. Therefore, in view of the foregoing, the election is made with traverse as to Species II, III, and IV.

In compliance with the action, and based on a review of the claims, the following claims appear to be associated with elected Species I: Claims 1-19 and 21. Elected claim 20 is arguably associated with Figure 11 (Species IV), insofar as that figure includes an illustration of a window.

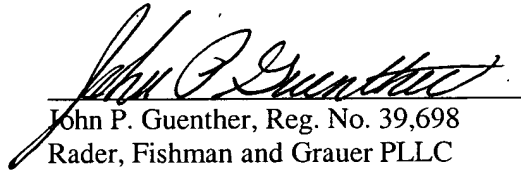
If the Examiner has any questions with respect to this communication, the Examiner is kindly urged to call the undersigned.

It is not believed that any additional fees are due with respect to this paper. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge account number 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

Dated: July 29, 2003

By:

  
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